

DEPARTMENT OF HUMAN SERVICES
DIVISION OF JUVENILE JUSTICE SERVICES
POLICY AND PROCEDURES

Policy No.: 05-05
Subject: Use of Confinement

Effective Date: 08/14/08

Revision Date: 02/06/13

I. Policy Statement

Division staff may utilize confinement as a behavior management method if all other methods of negotiation and de-escalation have been tried without success for a juvenile who presents an immediate threat of physical harm to another person or to property, poses a threat of absconding; or engages in continued rule infractions or disruption of program operations.

II. Rationale

The purpose of this policy is to define confinement and establish guidelines for the use of confinement as a behavior management method. Confinement is sometimes needed to gain control of behavior and ensure the safety of staff and other juveniles. Confinement is not to be used for the purpose of punishment.

III. Definitions

“Confinement,” for purposes of this Policy, includes “isolation” or “room confinement” as defined here. These are behavior management methods for staff to manage dangerous or disruptive behavior of a juvenile in the custody of the Division. Confinement does *not* refer to a situation in which a juvenile placed in a Division facility/program requests to go to his/her room and voluntarily stay there, and is free to leave the room on request.

“Room Confinement” is a behavior management method through which Division staff compels a juvenile to go to and remain confined in his/her normally assigned sleeping room.

“Isolation” is a behavior management method through which Division staff compels a juvenile to go to and remain confined in a room other than the juvenile’s normally assigned sleeping room.

IV. Procedures

A. Guidelines for use of confinement as a behavior management method:

1. Confinement will be used when reasonably necessary to prevent a juvenile from causing physical harm to another person (including other juveniles, staff, or volunteers or visitors); to prevent damage to property of the Division or other juveniles; to prevent a juvenile from absconding; or in cases of continued rule infractions or disruption of program operations.

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2. For the purpose of behavior management, confinement may be initiated when techniques of negotiation, discussion, persuasion, and other measures have been tried without sufficient success.
 3. Confinement is not to be used merely for the convenience of staff, or as a substitute for valid treatment programming.
 4. Staff placing a juvenile in confinement shall inform the juvenile of the reason for the confinement, including the specific behavior of the juvenile warranting such action, and shall explain to the juvenile what steps the juvenile must take to be released from confinement (including the expected degree of control that must be exhibited to warrant release).
- B. The criteria for placement into confinement will be limited to the following:
1. The juvenile's behavior presents an immediate threat of physical harm to another person; or
 2. A juvenile in a residential facility presents an immediate threat of absconding; or
 3. The juvenile persists in willful rule infractions or continued disruptions of program operations; or
 4. The juvenile's behavior presents an immediate or continued threat of damage to property of the Division or property of other persons.
- C. Conditions and place of confinement:
1. Room confinement will be in the juvenile's normally assigned sleeping room, with access to a toilet, washbasin, linens and hygiene materials. Any items in the room which pose a threat to safety or security may be removed from the room during the period of confinement.
 2. Isolation (which is confinement in a room other than the juvenile's normally assigned sleeping room) may be used in special circumstances including, but not limited to:
 - a. the need for closer supervision;
 - b. the unavailability of space in the individual rooms;
 - c. unusually serious or severe rule violations;
 - d. continued disruption to other residents and/or programming.

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3. Meals will be offered on the same schedule as other juveniles in the facility and consist of the same menu.
4. Any item, including any article of clothing which could be used to harm the confined juvenile may be removed by staff. A smock will be provided if other clothing is removed.
5. If the juvenile presents a risk of absconding, staff may remove the juvenile's shoes, and may substitute high-visibility clothing for other clothing.
6. Juveniles in confinement for extended periods of time shall be given the opportunity for large muscle exercise daily.

D. Length of stay in confinement:

1. Staff shall not confine a juvenile for a predetermined period of time—but rather shall use confinement only as long as is needed to manage the problematic behavior.
2. The juvenile shall remain in confinement only until they can demonstrate sufficient self-control as determined by displaying a reasonable level of calmness, and ability to process, and behavior that complies with facility/program rules. Additional consideration will be given to how the juvenile's return to the unit will affect or disrupt programming and the group environment.

E. Authorization, monitoring, and documentation:

1. Periods of confinement longer than 15 minutes require an incident report indicating the following:
 - a. the specific behavior exhibited that resulted in the confinement;
 - b. efforts of the staff to remedy the situation;
 - c. other persons involved (staff and residents);
 - d. recommendations regarding what needs to be accomplished prior to ending the confinement.
 - e. "Time In" and "Time Out" of confinement.
2. Supervisors, or their designee, shall approve any period of confinement exceeding one hour. Supervisors shall document the authorization by the end of their shift. This documentation is in addition to the original incident report placing the juvenile in confinement and shall be entered into the juvenile's file.
3. Staff shall speak with and evaluate the juvenile no less than once every hour to determine if the juvenile can be released from confinement and integrated with the general population.
4. Exigent circumstances may require the confinement to exceed three hours.

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- a. These circumstances will be individually reviewed and require authorization by the facility Director or their designee.
 - b. The facility/program Director or designee must document the authorization within 24-hours. This documentation shall be entered into the juveniles file.
5. Staff shall visually monitor juveniles placed in confinement. Monitoring shall be performed every fifteen-(15) minutes, or more frequently for juveniles on Suicide Watch in accordance with Division Policy 05-08 (Staff Supervision and Monitoring) and 05-03 (Suicide Prevention). Monitoring will be documented. The documentation will include the physical and emotional condition of the juvenile.
6. All documentation shall be placed in the juvenile's file.

V. Continuous Renewal

This policy shall be reviewed three (3) years to determine its effectiveness and appropriateness. This policy may be reviewed before that time to reflect substantive change.


This policy has been reviewed by the Board of Juvenile Justice Services, and is approved upon the signature of the Director.



E. Mark Bezzant, Chair
Board of Juvenile Justice Services

February 6, 2013

Signature Date



Susan V. Burke, Director
Division of Juvenile Justice Services

February 6, 2013

Signature Date